

REMARKS

Reconsideration of this application is respectfully requested. Claims 18-32 and 42-51 are withdrawn from consideration. Claims 1, 9 and 37 have been amended without prejudice or disclaimer. By this Amendment, no new matter has been added to the application. Upon entry of this Amendment, claims 1, 2, 4-16 and 33-40 are pending.

Amendments to the Claims

Claims 1, 9 and 37 have been amended to more particularly describe the invention. Support for this amendment can be found, for example, on page 4, lines 20-24, page 5, lines 26-29 and page 9, lines 8-10 of the specification, and original claim 27. No new matter has been added by this amendment. Claim 37 has been amended to independent form. Support for this amendment can be found in original claim 9. No new matter has been added by this amendment.

Objections to the Claims

Claim 37 is objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. It is respectfully submitted that amended claim 37 is an independent claim. The Examiner is therefore respectfully requested to withdraw the objection to claim 37.

Rejections under 35 U.S.C. § 102(a) or alternatively 35 U.S.C. § 103(a)

Claims 1, 2, 4-14, 16 and 33-39 are rejected as anticipated by or, in the alternative, as obvious over U.S. Patent Publication No. 2002/0023566 to Nakazawa et al. ("Nakazawa"). The Examiner contends that the (meth)acrylamide copolymers of the Nakazawa ink are equivalent to copolymers with acid groups wherein **all** of the said acid groups have been converted to the corresponding amide as claimed.

It is respectfully submitted that the Nakazawa ink is not equivalent to the ink of the present claims because "all of the acid groups" of the presently claimed ink are not converted to

the corresponding amide. Amended claims 1, 9 and 37 are directed to an ink comprising unamidized acid groups. The specification supports an ink comprising amidized and unamidized acid groups:

"It is the acid base equilibrium of the unamidized acid groups and the acid base equilibrium of the amide groups that allow the ink to bind to both acidic and alkaline metal surfaces. At least 3 of the following forms of the substituents are present at the same time at pH above 7:

COO^- , COOH , CONR_2 , CONR_2H^+ ,

where R independently can be hydrogen, alkyl (branched or unbranched), cycloalkyl or aromatic groups; each group optionally having further substituents." See page 5, line 26 to page 6, line 3 of the specification.

In addition, amended claims 1, 9 and 37 comprise an aqueous ink (See page 4, lines 20-24 and page 9, lines 8-10 of the specification, and original claim 27), while the Nakazawa ink is an oil-based ink (See, for example, paragraphs [0018], [0024], [0034], [0133-0134] and [0182], and claim 1 of Nakazawa).

For the above reasons, the Nakazawa ink is not equivalent to the ink of the present invention and does not anticipate the ink, the printing form or the printing method of claims 1, 9 and 37. Claims 2, 4-8, 10-14, 16, 33-36, 38 and 39 depend, directly or indirectly from claims 1 and 9. Therefore, the Examiner is requested to withdraw the anticipation rejection of claims 1, 2, 4-14, 16 and 33-39.

Furthermore, Nakazawa neither teaches nor suggests how to modify the Nakazawa ink to achieve the ink of the present invention. As described above, the Nakazawa ink is an oil-based ink. There is no teaching, suggestion or motivation in Nakazawa to modify the oil-based ink of Nakazawa to achieve the aqueous ink of the present claims. In addition, the Nakazawa ink is limited to comprising an acrylate or methacrylate resin (See paragraph [0139] of Nakazawa).

As such, the Nakazawa ink consists only of acrylate or methacrylate groups in the amide form and therefore is incapable of having the acid base equilibrium of the ink of the present claims.

Neither Nakazawa, nor any other art of record, teaches or suggests how to overcome the deficiency of the Nakazawa ink to achieve the ink of claims 1, 9 and 37. Claims 2, 4-8, 10-14, 16, 33-36, 38 and 39 depend, directly or indirectly from claims 1 and 9. Therefore, the Examiner is requested to withdraw the obviousness rejection of claims 1, 2, 4-14, 16 and 33-39.

Rejections under 35 U.S.C. § 103(a)

Claims 15 and 40 are rejected as obvious over Nakazawa, in view of PCT International Publication No. WO 01/34394 to Frenkel et al. ("Frenkel"). The Examiner contends that while Nakazawa teaches the heating of the printing plate, it fails to disclose a heating temperature above 150 °C, but that Frenkel discloses heating the plate up to approximately 200°C.

It is respectfully submitted that claims 15 and 40 depend directly or indirectly from amended claim 37, and as such are not obvious over Nakazawa for the same reasons disclosed above for claim 37. No teaching, suggestion or motivation in Frenkel, on its own or combined with any other art of record, overcomes the deficiency of Nakazawa.

The Examiner is therefore respectfully requested to withdraw the rejection of claims 15 and 40 for obviousness.

This application is believed to be in condition for allowance, which is earnestly solicited. If the Examiner believes there are remaining issues that could be resolved through an interview or an Examiner's amendment, the Examiner is cordially invited to contact the undersigned agent.

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Respectfully submitted,

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